

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ALLSTATE INSURANCE COMPANY a/s/o  
ALYSON NATHAN

**Index No.: 06-09106**

Plaintiff,

**Assigned to  
Hon. Stephen C.  
Robinson**

– against –

WHIRLPOOL CORPORATION and  
THERM-O-DISC TEMPERATURE CONTROLS,

***STIPULATION FOR  
AND ORDER OF  
DISMISSAL***

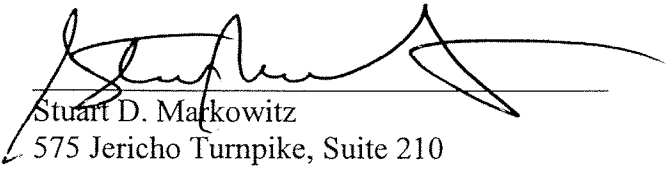
Defendants.  
-----X

**STIPULATION**

By and through their undersigned counsel of record, IT IS HEREBY STIPULATED AND AGREED TO by and between plaintiff Allstate Insurance Company, as subrogee of Alyson Nathan, and defendants Whirlpool Corporation and Therm-O-Disc, Inc. (s/h/a "Therm-O-Disc Temperature Controls"), that all claims relating to the fire occurring at the residence of plaintiff's insured Alyson Nathan, on or about February 1, 2004, and the facts alleged in the Verified Complaint filed herein, shall be voluntarily dismissed with prejudice and without fees or costs pursuant to Federal Rule of Civil Procedure 41(a).

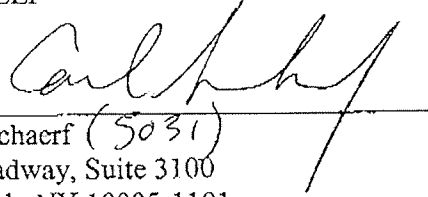
Date: June 5, 2007

LAW OFFICES OF STUART D.  
MARKOWITZ, P.C.

  
Stuart D. Markowitz  
575 Jericho Turnpike, Suite 210  
Jericho, New York 11753  
Phone: (516) 935-3500  
Attorneys for Plaintiff

Date: June \_\_, 2007

SCHNADER HARRISON SEGAL &  
LEWIS LLP



Carl J. Schacrf (5031)  
140 Broadway, Suite 3100  
New York, NY 10005-1101  
Phone: (212) 973-8000  
Attorneys for Defendant Whirlpool  
Corporation

Date: June \_\_, 2007

QUIRK and BAKALOR, P.C.



Susan B. Clearwater (SC6740)  
845 Third Avenue – 15<sup>th</sup> Floor  
New York, NY 10022  
Phone: (212) 319-1000  
Attorneys for Defendant Therm-O-Disc, Inc.  
(s/h/a “Therm-O-Disc Temperature  
Controls”)

Date: June \_\_, 2007

RIDDELL WILLIAMS P.S.

Daniel J. Gunter (*pro hac vice*)  
1001 Fourth Avenue, Suite 4500  
Seattle, WA 98154  
Phone: (206) 624-3600  
Attorneys for Defendant Therm-O-Disc, Inc.  
(s/h/a “Therm-O-Disc Temperature  
Controls”)

### ORDER

THIS MATTER having come on to be heard before the undersigned judge of the  
above-entitled court based upon the stipulation of the parties for dismissal, and the court  
being fully advised in the premises, now, therefore, it is hereby

Date: June \_\_\_\_, 2007

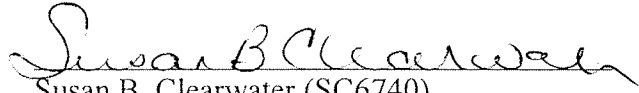
SCHNADER HARRISON SEGAL &  
LEWIS LLP

---

Carl J. Schaerf  
140 Broadway, Suite 3100  
New York, NY 10005-1101  
Phone: (212) 973-8000  
Attorneys for Defendant Whirlpool  
Corporation

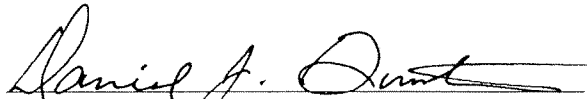
Date: June \_\_\_\_, 2007

QUIRK and BAKALOR, P.C.

  
Susan B. Clearwater (SC6740)  
845 Third Avenue – 15<sup>th</sup> Floor  
New York, NY 10022  
Phone: (212) 319-1000  
Attorneys for Defendant Therm-O-Disc, Inc.  
(s/h/a “Therm-O-Disc Temperature  
Controls”)

Date: June 4, 2007

RIDDELL WILLIAMS P.S.

  
Daniel J. Gunter (*pro hac vice*)  
1001 Fourth Avenue, Suite 4500  
Seattle, WA 98154  
Phone: (206) 624-3600  
Attorneys for Defendant Therm-O-Disc, Inc.  
(s/h/a “Therm-O-Disc Temperature  
Controls”)

**ORDER**

THIS MATTER having come on to be heard before the undersigned judge of the above-entitled court based upon the stipulation of the parties for dismissal, and the court being fully advised in the premises, now, therefore, it is hereby

ORDERED, ADJUDGED AND DECREED that plaintiff's complaint against defendants Whirlpool Corporation and Therm-O-Disc Inc. (s/h/a "Therm-O-Disc Temperature Controls") be and it is hereby dismissed with prejudice and without costs.

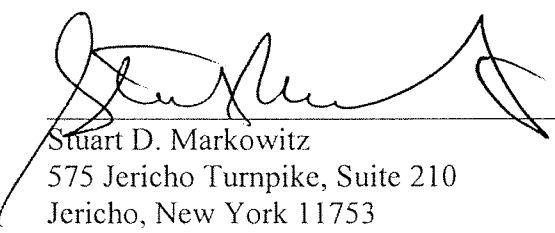
ENTERED this \_\_\_\_ day of \_\_\_\_\_, 2007.

---

The Honorable Stephen C. Robinson  
U.S. District Court Judge

PRESENTED BY:

LAW OFFICES OF STUART D. MARKOWITZ, P.C.



---

Stuart D. Markowitz  
575 Jericho Turnpike, Suite 210  
Jericho, New York 11753  
Phone: (516) 935-3500  
Attorneys for Plaintiff

SCHNADER HARRISON SEGAL & LEWIS LLP

---

Carl J. Schaerf  
140 Broadway, Suite 3100  
New York, NY 10005-1101  
Phone: (212) 973-8000  
Attorneys for Defendant Whirlpool Corporation

ORDERED, ADJUDGED AND DECREED that plaintiff's complaint against defendants Whirlpool Corporation and Therm-O-Disc Inc. (s/h/a "Therm-O-Disc Temperature Controls") be and it is hereby dismissed with prejudice and without costs.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

---

The Honorable Stephen C. Robinson  
U.S. District Court Judge

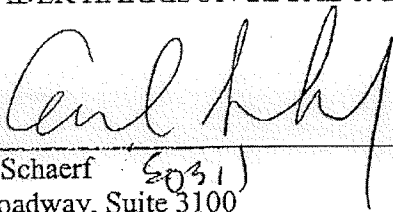
PRESENTED BY:

LAW OFFICES OF STUART D. MARKOWITZ, P.C.

---

Stuart D. Markowitz  
575 Jericho Turnpike, Suite 210  
Jericho, New York 11753  
Phone: (516) 935-3500  
Attorneys for Plaintiff

SCHNADER HARRISON SEGAL & LEWIS LLP



---

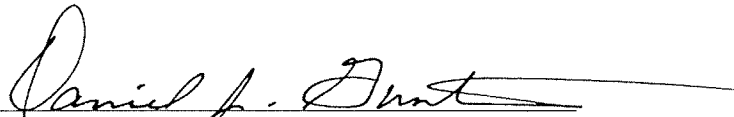
Carl J. Schaerf 5031  
140 Broadway, Suite 3100  
New York, NY 10005-1101  
Phone: (212) 973-8000  
Attorneys for Defendant Whirlpool Corporation

QUIRK and BAKALOR, P.C.



Susan B. Clearwater (SC6740)  
845 Third Avenue – 15<sup>th</sup> Floor  
New York, NY 10022  
Phone: (212) 319-1000  
Attorneys for Defendant Therm-O-Disc, Inc.  
(s/h/a “Therm-O-Disc Temperature Controls”)

RIDDELL WILLIAMS P.S.



Daniel J. Gunter (*pro hac vice*)  
1001 Fourth Avenue, Suite 4500  
Seattle, WA 98154  
Phone: (206) 624-3600  
Attorneys for Defendant Therm-O-Disc, Inc.  
(s/h/a “Therm-O-Disc Temperature Controls”)

UNITED STATES DISTRICT COURT

Index No.

Year

SOUTHERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY a/s/o ALYSON NATHAN

Plaintiff,

-against-

WHIRLPOOL CORPORATION and THERM-O-DISC TEMPERATURE CONTROLS,

Defendants.

STIPULATION FOR AND ORDER OF DISMISSAL

QUIRK AND BAKALOR, P.C.

Attorney(s) for THERM-O-DISC INCORPORATION  
s/h/a "Therm-O-Disc Temperature Controls"  
Office and Post Office Address, Telephone

845 Third Avenue  
NEW YORK, NEW YORK 10022  
(212) 319-1000

To

Signature (Rule 130-1.1-a)

Print name beneath

Service of a copy of the within is hereby admitted.

Attorney(s) for

Dated: \_\_\_\_\_

PLEASE TAKE NOTICE:

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order  
will be presented for settlement to the HON.  
within named Court, at  
on at M.

of which the within is a true copy  
one of the judges of the

Dated,